

REMARKS

Claims 22-39 are pending. Claims 22, 23, 25, 26, 31, and 32 have been amended. No claims have been added or canceled. Support for the claim amendments may be found throughout the specification and figures, for example, at paragraphs [0027], [0042], and Figure 3. No new matter has been added.

Claim Objections

Claims 25, 26, 31, and 32 are objected to for containing acronyms. The claims have been amended to recite the words to which the acronyms refer in accordance with the Office Action's suggestion. Withdrawal of the claim objections to claims 25, 26, 31, and 32 is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 22-39 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Specifically, the Office Action suggests that the recitation of "temporal frequency" in claims 22, 31, and 32 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 22, 31, and 32 have been amended by replacing "temporal frequency" with "time interval." Clear and unambiguous support for this amendment may be found, for example at paragraph [0042] of the specification ("a reminder of the emergency alert broadcast is periodically generated and provided to the alert recipient at a predetermined **time interval** specified by step 106 . The desired **time interval** between reminders at step 106 is entered by the alert recipient" (emphasis added)). Accordingly, reconsideration and withdrawal of rejections to claims 22-39 under 35 U.S.C. § 112, first paragraph is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 22-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,053,780 ("Straub") in view of various combinations of U.S. Patent No. 7,003,304 ("Helferich"), U.S. Patent No. 6,177,873 ("Cragun"), U.S. Patent No. 6,850,604 ("Cannell"), U.S. Patent No. 6,728,522 ("Marrah"), U.S. Patent No. 6,710,715

(“Deeds”), U.S. Patent No. 7,233,781 (“Hunter”) and U.S. Patent Publication No. 2004/10080/430 (“Videtich”).

As amended, independent claim 22 recites “providing a periodic reminder of the emergency alert broadcast *upon receipt of a first indication to decline to suspend a call in process*... the periodic reminder being continually provided at a predetermined time interval *until receipt of a second indication to suspend the call in progress* on the wireless device,” independent claim 31 recites “provide a periodic reminder of an emergency alert broadcast *upon receipt of a first indication to decline to suspend a wireless telephone call in process* ... the periodic reminder being continually provided at a predetermined time interval *until receipt of a second indication to suspend the wireless telephone call in progress*,” and claim 32 recites “the information associated with the weather alert broadcast is provided to the user periodically at a predetermined time interval *until receipt of a first indication to suspend a call in progress on the wireless telephone*” (emphasis added). None of the asserted references teaches or even suggests the claimed subject matter.

The Office Action suggests that paragraphs [0019] and [0025] of Videtich teaches “the periodic reminder being continually provided at a predetermined temporal frequency until an expiration date and time of the weather emergency or until receipt of a first indication to suspend the call in progress on the wireless device” (see Office Action – Page 6, Paragraph 5). Videtich is directed to periodically delivering weather alerts to a mobile unit within a region containing severe weather. If the mobile unit moves outside of the serve weather region, then an “All Clear” is sent to the mobile unit (Videtich, paragraphs [0025] and [0026]). In other words, Videtich whether periodic alerts are provided is determined by the geographic location of the mobile unit. In contrast to the claimed subject matter, the periodic alerts of Videtich do not start when user declines to suspend a call in progress, or ends when the user suspends the call in progress. In fact, Videtich does not even mention how to deliver weather alerts when a call is in progress. Therefore, Videtich fails to teach or suggest providing a periodic reminder *upon receipt of a first indication to decline to suspend a call in process* and continuously providing the reminder *until receipt of a second indication to suspend the call in progress*, as claimed.

Straub, Helferich, Cannell, Deeds, Marrah, and Hunter individually or in combination with each other or with Videtich do not disclose, teach, or suggest providing a periodic

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reminder *upon receipt of a first indication to decline to suspend a call in process* and continuously providing the reminder *until receipt of a second indication to suspend the call in progress*, as claimed.

Based on at least the foregoing, it is respectfully submit that independent claims 22, 31 and 32 patentably define over the asserted references as applied. Additionally, as claims 23-30 ultimately depend from independent claim 22 and claims 33-39 ultimately depend from independent claim 32, it is further respectfully submitted that dependent claims 23-30 and 33-39 patentably define over the references as applied.

Accordingly, withdrawal of the rejection of claims 22-39 under 35 U.S.C. § 103(a) is requested.

CONCLUSION

In view of the foregoing amendments and remarks, the instant application is in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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